

Doc. No. 2772

CLASS I AND C OFFENSES

FRENCH INDO-CHINA.

French Division
International Prosecution Section
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Brief presented by:

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INTRODUCTION

The French Division, I.P.S. submits for the attention of the Tribunal a limited amount of evidence drawn from a pile of documents relating the atrocities and murders committed throughout the territory of Indo-China by the Japanese troops, with regard to both civilian internees and prisoners of war.

The exhibits referring to Class B and C crimes put in on previous days by other Sections of the International Prosecution Section makes it useless to put in a large number of documents repeating for the Union of Indo-China the details already given for other territories. The documents which we are about to present to the Tribunal are aimed only at giving some examples of the actions of the Japanese Army in Indo-China.

Before beginning the presentation of these documents we ask permission to recall briefly three documents already known to the Court:

1. I.P.S. Document No. 2667, Exhibit No.663, is an official report of Supreme Headquarters of the Japanese Army of the South. On page 5 of this document first paragraph, Letter A, page 7176 of the Record, we can read:

"Even if the French reject the Japanese demands, the relations between the two countries will not be considered as being at war. However, Japan will not be bound by the existing treaties, concerning French Indo-China."

II. I.P.S. Document No. 2655, Exhibit No. 665, Record pages 7193 and 7194, contains the text of the solemn warning addressed by the French Government to the Japanese Government on the subject of violences perpetrated on the peoples of Indo-China by the Japanese Imperial Armed Forces.

III. I.P.S. Document No. 2667, Exhibit No. 663, page 7 of the document, conclusion, last paragraph, pages 7181 and 7182 of the Record, the Supreme Headquarters of the Japanese Army of the South declares:

"Moreover, the disposition of French Indo-China was based upon the directives of Tokyo and was not an arbitrary decision of local Japanese Army. All the Japanese troops, militarists, officials, civilians however humble their posts might have been, always acted solely by orders of superior commanders, and fulfilled their responsibilities most faithfully according to each given duty".

With the permission of the Court, the documents relating to this phase of the Indictment are now going to be presented by my assistant, Major Roger Depo.

A. Civil Population

1. Prosecution Document No. 2772-I-1, affidavit of JULLIEN Remy, is offered in evidence.

In this document, the witness relates the ill-treatment and tortures inflicted on French civilians and on an American Air Officer in the spheres of the Japanese Military Police of Vinh. Some of these victims died of the treatment undergone.

I will read this document with the Court's permission.

2. Prosecution Document No. 2772-I-2, affidavit of COUDOUX Jean Francois, is offered for identification and the marked excerpts offered in evidence.

This document, on the fate of civilian prisoners of the Japanese Military Police at Vinh, completes the previous document No. 2772-I-1 already introduced in evidence and bearing Exhibit No. _____.

It gives details on the tortures followed by death, inflicted on two French civilians, Messrs. SUREAU and URIET.

With the Court's permission I will read the marked excerpts.

3. The affidavit of Madame Veuve BERTRAND, Prosecution Document No. 2772-J-1 is offered in evidence.

In this affidavit, the witness describes the discovery of the body of her husband, a civilian internee, dead as the result of tortures at the Japanese Military Police Headquarters of Saigon. I quote:

"I asked him what my husband died of. He replied, 'Your husband had fever in the night. The Commandant gave him an anti-malaria injection and he slept. This morning he did not wake'. Then they led me to see the body of my husband, it was on the ground floor on a short stretcher covered with a covering in a repulsive condition. The body was covered with bruises, the upper lip swollen and contused, one eye quite shut, the other half open. They then loaded the corpse into a military truck and asked me where they had to take it. I told them the morgue of the Grall Hospital. I got into the same vehicle, accompanied by Capt. TOMONO and two Japanese interpreters. When we had reached Grall they asked Chief Medical Officer GUEDON to come and confirm the state of the body and to have it put in a coffin as soon as possible. The Japanese busied themselves with the papers of the Civil Commission. Friends were forbidden to enter the morgue. When the blessing of the body and the bestowal of it in the casket were finished TOMONO made me sign a paper ordering me to say nothing on the subject of the death of my husband and a receipt for the sum of 100,

piastres from the Military Police.

Next I went to the cemetery, always accompanied by Japanese Military Police".

4. Prosecution Document No. 2772-E-1, affidavit of MONNET Jeanne, is offered for identification and the marked excerpts offered in evidence.

This document describes particularly the violation of the witness by two Japanese officers:

"We slept in the servants' quarters; my sister aged 13 and myself in the same room.

Next day, 14 March, in the evening, about 10 o'clock two officers of Col. SHIZUME's staff, a major and a captain (I recognized them by what followed) came into our room. While one held me, the other took off my pajama trousers and abused me, then, changing over their roles, I had to submit to the other. It caused me a good deal of pain as I was a virgin and I fainted. For this reason I cannot say what was done to my sister".

5. Prosecution Document No. 2772-E-2, which is a report by Captain MERIAN of the French Gendarmerie, is subritted in evidence.

This item describes the ill-treatment endured and the death by strangulation of an Indo-Chinese coolie.

With the Court's permission I will now read this document.

6. Prosecution Document No. 2772-E-3, affidavit of Denise AVISSE, is offered for identification and the excerpts marked are offered in evidence.

In this document the witness relates the massacre of civilians and prisoners of war, European and Indo-Chinese. Among them were two French women and a child of three months.

With the Court's permission I will read the marked excerpts.

7. The affidavit of TAPUTUARAI Tetani, Prosecution Document No. 2772-E-4 is offered for identification and the marked excerpts offered in evidence.

This document describes the violation which the witness had to submit to. I quote from Doc. No. 2772-E-4:

"About 10:30, four Japanese made me go back into the magazine where I had spent the night. I tried to resist but they struck me and pushed me into this room. There, one of the soldiers came up and threatened me with his bayonet, another struck me and laid me on the ground. I was violated by one of them under the eyes of three others, one of whom was threatening me with his bayonet. Previously they had torn my clothes off me".....

8. Prosecution Document No. 2772-E-5 is offered for identification only and the excerpts marked are offered in evidence.

This witness of Indo-Chinese origin mentions in particular the punishment of a French captain, the massacre of 13 officers and soldiers of the Engineers and the forced obligation of Indo-Chinese women to give themselves up for prostitution.

With the Court's permission I will now read the marked excerpts.

9. The Prosecution now offers in evidence Document No. 2772-A-4, affidavit of Fernand CASAULA.

The witness relates the violation and assassination of a European woman at Long-Van and the violation of a young Frenchwoman, wounded and subsequently disappeared.

With the Court's permission I will now read this Document.

10. The affidavit of Madame RENIGEREAU Paulette, I.P.S. Document No. 2772-A-5 is offered for identification and the marked excerpts are offered in evidence.

This deposition contains the account of the ill-treatment and tortures undergone by a French woman and the violation of another Frenchwoman.

With the Court's permission I will now read the marked excerpts.

11. Prosecution Document No. 2772-A-6, affidavit of Cecile CAZAJOUS, is submitted to the Court for identification and the marked passages are offered in evidence.

This affidavit completes the previous document No. 2772-A-5, already introduced in evidence and bearing Exhibit No. _____, but it also mentions the massacre at the bridge of Yen Bien at Hagiang (Tonkin) of 23 French soldiers, prisoners of war.

With the Court's permission I will read the marked excerpts.

12. The affidavit of MOULLET, Albert, Battalion Commander, Prosecution Document No. 2772-A-3, is offered for identification and the marked excerpts offered in evidence.

This document mentions the specially hateful violation and assassination of two French women. Moreover he gives the schedule of the executions of prisoners of war at Hanoi.

With the Court's permission and for reasons of convenience, we shall read to the Court some marked excerpts from this document when we deal with the part relative to prisoners of war.

13. Prosecution Document No. 2772-D-3, which is a report by Captain MERIAN of the French Gendarmerie, is offered to the Court in evidence.

This report relates an incident concerning blows and wounds on the persons of three Indo-Chinese of Bac-Ninh of whom one died as a result of this violence.

14. Document No. 2772- D-4 of the Prosecution, being the report of a French officer, Captain MERIAN of the Gendarmerie, is offered to the Court in evidence.

It is the record of the tortures and ill-treatment undergone by an Indo-Chinese, PHUNG DUY THIEU and by a Frenchman, M. SURENA, at Japanese Military Police H.Q. at Hanoi.

15. Prosecution Document No. 2772-D-5, report of Captain MERIAN of the Gendarmerie, is offered in evidence.

This report relates the grave violence suffered in 1942 by a Frenchman, M. CASABIANCA, shut up in a cage of the Japanese Military Police H.Q. at Hanoi.

16. The affidavit of BABIN Pierre, Prosecution Document No. 2772-D-7, is offered to the Court in evidence.

This document relates to the tortures and ill-treatment which French civilians interned at Police Headquarters and in the prison at Hanoi had to undergo.

With the Court's permission I will now read this document.

17. The affidavit of Lawyer Philippe DUQUESNAY, advocate at Hanoi, Prosecution Document No. 2772-D-8, is offered in evidence.

The witness relates the tortures and the ill-treatment inflicted on French civilians, detained at the prison of Hanoi, and in the premises of the Shell Company, which had been turned into a prison by the Japanese Military Police.

This document completes Prosecution Document No. 2772-D-7, already introduced in evidence and marked Exhibit No. _____, insofar as the regime of the prison is concerned.

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13. Prosecution Document No. 2772-D-9, affidavit of M. GUY NOURRIT, Barrister at Hanoi, is offered to the Court in evidence.

The witness gives a description of the treatment meted out to the French in detention at the Police Headquarters of Hanoi.

With the Court's permission I will now read this document.

19. Prosecution Document No. 2772-D-10, affidavit of TALPA Henri, is submitted for identification and the marked excerpts are offered in evidence.

The witness relates the tortures which he has undergone at the Japanese Military Police Headquarters of Tong.

With the Court's permission I will read the marked excerpts.

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